

By Senator Moore:

S. B. No. 33, A bill to be entitled "An Act amending House Bill 104, Chapter 65, Acts of the Forty-first Legislature, First Called Session, 1929, as amended, relating to the regulation of the practice of barbering; providing for licensing of barber shops and fixing fees for such licenses; prohibiting the practice of barbering in a barber shop not licensed and making other provisions relating thereto; increasing the renewal fees of registered barbers; and increasing reinstatement fees for barbers; making other provisions relating thereto; providing a repealing clause; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senators Willis, Secrest, Herring, Parkhouse, Fuller, and Smith:

S. B. No. 34, A bill to be entitled "An Act eliminating the requirement of separate and privy acknowledgment of a married woman to instruments purporting to be executed by her, eliminating the requirement of acknowledgment as an essential to the validity of certain instruments; amending Articles 1300, 5460, 1299 and 6607, Revised Civil Statutes of Texas, 1925; repealing Articles 6605 and 6608, Revised Civil Statutes of Texas, 1925, and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Smith:

S. J. R. No. 1, Proposing an Amendment to Article III of the Constitution of the State of Texas by adding a new section thereto to be known as Section 62, providing that the Legislature may delegate authority to zone public highways, roads, streets, and alleys or portions thereof; relating to and regulating the speed at which any motor vehicle may be operated thereon; and providing certain exceptions.

To the Committee on Constitutional Amendments.

By Senator Gonzalez:

S. J. R. No. 2, Proposing an amendment to Article III of the Constitution of Texas by adding a new section

49-C, whereby the Veterans Land Board may make loans to veterans.

To the Committee on Constitutional Amendments.

By Senator Parkhouse:

S. J. R. No. 3, Proposing an amendment to Section 4 of Article 4 of the Constitution of the State of Texas, to provide the term for the office of governor shall be four (4) years and no holder of that office shall succeed himself.

To the Committee on Constitutional Amendments.

By Senators Moore, Schwartz, Smith, Willis, Crump, Secrest, Kazen, Gonzalez, Patman, Ratliff, Fuller, Parkhouse and Herring:

S. J. R. No. 4, Proposing an amendment to Article I of the Constitution of Texas by adding thereto a new Section to be known as Section 3a, providing that equality under the law shall not be denied or abridged because of sex; providing that the amendment is self-operative; and providing for its effective date; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

To the Committee on Constitutional Amendments.

Adjournment

On motion of Senator Aikin the Senate at 11:34 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

SEVENTH DAY

(Tuesday, January 24, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Martin
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts

Rogers
Schwartz
Secrest

Smith
Weinert
Willis

Absent—Excused

Lane

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God our Father, as Thou art interested in the fall of a little sparrow, surely Thou are interested in what is done here in this Senate. We pray that these Senators will make Thy interest their interest; Thy kingdom come, Thy will be done in all the work of this day. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senate Resolution 27

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. Henery and Carlos Rosales; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

Resolution Signed

The President Pro Tempore signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 6, Memorial resolution for Herbert C. White.

Presentation of Guests

Senator Patman by unanimous consent presented students, teachers and guests from Victoria to the Members of the Senate.

Presentation of Guest

Senator Rogers by unanimous consent presented Mr. O. E. Bevers of Lakeview, Hall County, to the Members of the Senate.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,
January 24, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 15 Ordered Not Printed

On motion of Senator Willis and by unanimous consent S. B. No. 15 was ordered not printed.

Report of Standing Committee

Senator Krueger submitted the following report:

Austin, Texas,
January 24, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senate Bill 6 Ordered Not Printed

On motion of Senator Weinert and by unanimous consent S. B. No. 6 was ordered not printed.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,
January 24, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 32 Ordered Not Printed

On motion of Senator Owen and by unanimous consent S. B. No. 32 was ordered not printed.

Senate Bill 15 on Second Reading

Senator Willis moved that Senate Rules 116, 12, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 15 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Martin	

Nays—1

Hardeman

Absent—Excused

Lane

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 15, A bill to be entitled "An Act fixing the compensation of the judges of the Civil District Courts of Tarrant County, Texas, and the judges of the Criminal District

Courts of Tarrant County, Texas; providing for the manner of payment; providing for the validity of the remaining portion of this Act if any part be declared unconstitutional; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read the second time.

Senator Willis offered the following amendment to the bill:

Amend Senate Bill No. 15 by Willis by adding thereto a new section, to be numbered Section 2a, to read as follows:

"Sec. 2a. If the Chief Probation Officer of Tarrant County serves as Secretary to the Juvenile Board of Tarrant County, he may receive as compensation for this additional service the sum of One Thousand Dollars (\$1,000.00) per year, such amount to be paid in addition to his regular salary."

The amendment was adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 15 on Third Reading

Senator Willis moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Schwartz
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	

Nays—2

Hardeman Martin
 Present—Not Voting
 Rogers
 Absent—Excused
 Lane

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Schwartz
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Nays—2

Hardeman Martin
 Absent—Excused
 Lane

Co-Author of Senate Bill 6

Senator Hardeman asked unanimous consent to be shown as co-author of S. B. No. 6.

There was no objection offered.

Senate Bill 6 on Second Reading

Senator Weinert moved that Senate Rules 116, 12, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 6 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Creighton
Baker	Crump
Calhoun	Dies
Colson	Fuller

Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Schwartz
Martin	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis

Absent—Excused

Lane

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 6, A bill to be entitled "An Act closing wild turkey hunting season in Guadalupe County until November 16, 1965; providing a penalty; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 6 on Third Reading

Senator Weinert moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Lane

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the committees indicated:

By Senators Aikin and Roberts:

S. B. No. 35, A bill to be entitled "An Act relating to the salaries of all state officers and employees except the salaries and other compensation of District Judges; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Court of Civil Appeals, the Supreme Court and the Courts of Criminal Appeals out of fees of office; specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Finance.

By Senators Moore, Owen, Patman, Crump and Colson:

S. B. No. 36, A bill to be entitled "An Act amending Article 20.09 and Subsection (a) of Article 20.12, of Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, to provide quarterly reporting, remitting and bonding procedures for the Miscellaneous Excise Taxes imposed by Chapter 20, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on State Affairs.

By Senator Aikin:

S. B. No. 37, A bill to be entitled "An Act amending Article 12.03, Acts 1959, 56th Legislature, 3rd Called Session, Chapter 1, known as Title 122A, Taxation, General, to provide that the franchise tax imposed by Chapter 12 of such Title shall not apply to nonprofit water supply or sewer service corporations organized on behalf of cities or towns; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 38, A bill to be entitled "An Act relating to authorized investments by a guardian of an estate of money on hand belonging to the ward beyond that which may be nec-

essary for the education and maintenance of such ward; and amending Section 389 of The Texas Probate Code, Acts 1955, Fifty-fourth Legislature, p. 88, Ch. 55, so as to add thereto a new alternative investment described as subdivision.(g) authorizing such guardian to invest such money in interest bearing time deposits which may be withdrawn on or before one year after demand in any bank to the extent that the payment of such deposit is insured by the Federal Deposit Insurance Corporation and declaring an emergency."

To the Committee on Banking.

By Senators Crump, Patman, Owen, Moore, Colson and Herring:

S. B. No. 39, A bill to be entitled "An Act amending Chapter 1, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, to require every report, annual report, return, declaration, statement, or other document required to be made by any person, firm, association, company, or corporation under any provision of Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, to be verified by written declaration under penalties of perjury; prescribing the form of verification; providing penalties for filing a false report, annual report, return, declaration, statement, or other document; providing a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senators Herring and Willis:

S. B. No. 40, A bill to be entitled "An Act providing for longevity pay for employees of the State of Texas; providing that such additional compensation come out of the fund from whence the salary is paid; providing for a severability clause; and declaring an emergency."

To the Committee on Finance.

By Senator Parkhouse:

S. B. No. 41, A bill to be entitled "An Act to amend Acts of the Fiftieth Legislature, 1947, Chapter 115, Sections 2, 12 and 13 (compiled as Article 6243-101, Vernon's Annotated Civil Statutes), to provide for the status of the licenses of Master Plumbers, Journeyman Plumbers, or Plumbing Inspectors, for so long as employed by any city, town or village of five thousand or more inhabitants, and regu-

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lating the fees for persons so employed; and declaring an emergency."

To the Committee on State Affairs.

By Senator Reagan:

S. B. No. 42, A bill to be entitled "An Act to amend Chapter 290 of the 41st Legislature, 1929, codified as Article 2815h in Vernon's Texas Civil Statutes, as amended, authorizing any Junior College District which was originally created with the same boundaries as an Independent School District, the boundaries of which Independent School District have been subsequently extended and enlarged to annex such territory added to such Independent School District by such extension and enlargement to such Junior College District for Junior College purposes only; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 43, A bill to be entitled "An Act regulating the sale and manufacture of foods, drugs, devices and cosmetics for the protection of public health in the State of Texas, defining adulteration and misbranding, repealing the following articles of the Revised Civil Statutes of Texas, Article 4470, 4471, 4472 and 4473; repealing the following articles of the Penal Code of Texas, Articles 706, 707, 708, 709 and 717; and all other laws in conflict herewith; defining certain authority of the Commissioner of Health, prescribing penalties; and declaring an emergency."

To the Committee on Public Health.

By Senator Owen:

S. B. No. 44, A bill to be entitled "An Act amending Articles 81 and 82 of the Election Code as enacted in Chapter 492, Acts of the 52nd Legislature, Regular Session, 1951, to clarify the provisions of Article 82; to permit the use, in cities of more than two hundred thousand (200,000) inhabitants in which voting machines are used, of paper ballots under certain conditions; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Willis:

S. B. No. 45, A bill to be entitled "An Act to provide a sick leave policy

for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to and administration through the Central Education Agency; providing for financing from the State Foundation School Fund; to take effect for the 1961-62 school year and thereafter; providing a severability clause, and declaring an emergency."

To the Committee on Education.

By Senator Aikin:

S. B. No. 46, A bill to be entitled "An Act to amend Section 6 of S. B. 75, Acts of the Regular Session, 49th Legislature, providing allocation of fees; appropriating funds; and declaring an emergency."

To the Committee on State Affairs.

By Senator Rogers:

S. B. No. 47, A bill to be entitled "An Act authorizing and providing for the purchase of educational motion picture films by the State Board of Education for the use and benefit of the public free school systems; providing for a complete system for the distribution of such films by Film Service Centers pursuant to certain minimum standards as established by the State Board of Education; setting out the procedure for the creation of a State and various local film selection committees; providing for financing of the purchase of such films as an additional item of cost paid out of the Foundation School Fund; providing a severability saving clause and the effective date of this Act; and declaring an emergency."

To the Committee on Finance.

By Senators Schwartz and Aikin:

S. B. No. 48, A bill to be entitled "An Act amending Subsection 3b, 3c, and 3d of Section 1, Article III of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, to provide a revised method or basis for the allocation of a special service teacher; to amend Subsection A-3 of Section 2 of Article II, Senate Bill 116, supra, to add to special services and positions a sixth unit, driver education; and amending Subsection (6) of Section 1, Article III of Senate Bill 116, supra, as amended, to provide a revised formula for the allotment of full-time and part-time principals and/or 'head' teachers;

providing a repealing and severability clause; and declaring an emergency."
Held for referral.

By Senators Kazen and Smith:

S. B. No. 49, A bill to be entitled "An Act to revise and arrange certain statutes of this State relating to delinquent and dependent children, juvenile courts, detention homes, juvenile boards, juvenile officers and domestic relations courts into a consistent whole and under a single title, preserving the substantive law as it existed immediately prior to the passage of this Act; providing a severability clause; providing a savings clause; repealing certain statutes relating to delinquent and dependent children, juvenile courts, detention homes, juvenile boards, juvenile officers and domestic relations courts; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Parkhouse:

S. B. No. 50, A bill to be entitled "An Act amending paragraph (3)(b) Section 1, Article 3.50 of the Insurance Code, as amended by Chapter 18, Acts 1954, 53rd Legislature, First Called Session, 1954, so as to permit any independent school district situated in a county having a population of over 150,000 according to the most recent U. S. census to pay premiums for group life insurance wholly or partly from its funds for its employees; and declaring an emergency."

To the Committee on Insurance.

By Senators Smith, Baker and Schwartz:

S. B. No. 51, A bill to be entitled "An Act to provide for the allocation of professional units to districts reporting increases on the basis of current average daily attendance; providing a repealing and severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Willis:

S. B. No. 52, A bill to be entitled "An Act relating to the management, control, and disposition by a married woman of her separate property, both real and personal, including her right to contract and be contracted with, and to sue and be sued; amending Article 4614 of the Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senators Rogers, Patman, Secrest, Herring, Willis, Smith, Moffett, Krueger, Owen and Reagan:

S. B. No. 53, A bill to be entitled "An Act amending Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), by extending the exemption from registration of farm trailers and farm semi-trailers to include trailers and semi-trailers owned by cotton gins and grain elevators and used solely for supplying, without charge, such trailers and semi-trailers to farmers to haul agricultural products from place of production to place of process, market or storage of such agricultural products; by increasing the gross weight of exempt farm trailers and farm semi-trailers to twelve thousand (12,000) pounds; and by defining the term "gross weight"; repealing conflicting laws; and declaring an emergency."

To the Committee on Transportation.

By Senator Aikin:

S. B. No. 54, A bill to be entitled "An Act to amend Article 4469, Title 71, Chapter 3 of the Revised Civil Statutes of the State of Texas, 1925, as amended by H. B. 454, Acts of the 42nd Legislature, Regular Session, 1931, providing for the registration and registration fee of importers and manufacturers of foods and drugs, and defining manufacturers and importers; providing for an annual registration fee with the State Department of Health; appropriating fees to the use of the Department; and declaring an emergency."

To the Committee on Public Health.

By Senator Parkhouse:

S. B. No. 55, A bill to be entitled "An Act amending Chapter 171, Acts 1947, 50th Legislature, as amended by Chapter 391, Acts 1949, 51st Legislature, by adding thereto a new section providing for the election of trustees by majority vote and providing for a second election in the event no candidate receives such vote at first election; enacting other matters relating to the subject; and declaring an emergency."

Held for referral.

By Senator Smith:

S. B. No. 56, A bill to be entitled

"An Act amending Section 4 of Senate Bill 21, Chapter 251, Acts of the Fifty-third Legislature, Regular Session, 1953, codified in Vernon's as Section 4 of Article 4582b, Vernon's Civil Statutes, relating to funeral directing and embalming so as to authorize the State Board of Morticians to provide for a license for funeral establishments to operate; providing a license fee; making other provisions relating thereto; providing for an appeal from decisions of the Board; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 57, A bill to be entitled "An Act amending Section 1, Article 3.51 of the Insurance Code, so as to permit contributions by employers to premiums for contracts insuring their employees under group policies procured as authorized by said Article; and declaring an emergency."

To the Committee on Insurance.

By Senator Smith:

S. B. No. 58, A bill to be entitled "An Act to amend Section 8 of House Bill 87, Acts of the Fifty-sixth Legislature, Regular Session, 1959, Chapter 190, codified as Article 326k-41a of Vernon's Civil Statutes, so as to provide that the annual compensation of the stenographer of the District Attorney of the 121st Judicial District of Texas shall be increased from a maximum of Twenty-four Hundred Dollars (\$2,400) per annum to a maximum of Thirty-three Hundred Dollars (\$3,300) per annum; providing a repealing clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Baker and Schwartz:

S. B. No. 59, A bill to be entitled "An Act to regulate the sale, purchase, disposition and use of explosives and to define and prescribe penalties for certain offenses relating to explosives and bombs, repealing Chapter 435, Acts of the 52nd Legislature, Regular Session, 1951, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Owen:

S. B. No. 60, A bill to be entitled "An Act relating to certain mort-

gages, deeds of trust and other security instruments covering both real and personal property and machinery affixed to realty located in the same county and providing that where such an instrument is deposited for filing and recordation in any such county as a mortgage or deed of trust on real property an affidavit descriptive of such instrument may be filed and indexed in the chattel mortgage records and registered in the book of Chattel Mortgage Records on realty in lieu of such deposit for filing, indexing and registration therein of the instrument itself."

To the Committee on Jurisprudence.

By Senators Parkhouse and Aikin:

S. B. No. 61, A bill to be entitled "An Act amending Chapter 402, Section 4, Sub-Section E, and Section 5, Sub-Section D, Paragraph 1, Acts of the 55th Legislature, Regular Session, so as to grant State employees, who executed waivers in the Employees Retirement System of Texas, the privilege of qualifying all of their service as a State employee for retirement purposes, and setting forth the conditions and requirements to permit such service to be granted; granting State employees, who withdraw funds from the Employees Retirement System of Texas and cancel their accounts, the privilege of reinstating all of their State service for retirement purposes, and setting forth the conditions and requirements to permit such service to be granted; permitting the Retirement System to refund a member, who ceases to be an employee of the State, except by death or retirement, the full amount standing to the credit of his individual account in the Employees Saving Fund; repealing all laws or partial laws in conflict and declaring an emergency."

To the Committee on State Affairs.

By Senators Smith and Hazlewood:

S. B. No. 62, A bill to be entitled "An Act amending Chapter 243, passed at the Regular Session of the 53rd Legislature in 1953 as heretofore amended by Chapter 196 passed at the Regular Session of the 54th Legislature in 1955 and by Chapter 204 passed at the Regular Session of the 55th Legislature in 1957, all relating to the Canadian River Municipal Water Authority, providing

that a majority in number of the Authority's Board of Directors shall constitute a quorum for the transaction of any and all business; providing that a majority vote of a quorum present shall be sufficient in all official actions except as otherwise specifically provided; providing that water service charges, rates and penalties may be fixed only by unanimous vote of a quorum present at a regular meeting; providing that after having contracted with the Authority for a water supply no member city shall be eliminated from the Authority by virtue of failure to call or carry subsequent contract elections; providing for the removal of procedures requiring notice of the Authority's Board of Directors' intent to call bond elections and provisions for members city requests for withdrawal from the Authority upon receipt of notice of its intention to call a bond election; ratifying, confirming and validating the creation of (a) Canadian River Municipal Water Authority and all proceedings and actions taken in connection with its present organization; (b) the organization of its Board of Directors as from time to time constituted; (c) all acts and proceedings heretofore accomplished by its Board of Directors; (d) all elections heretofore held in the Authority; (e) the authorization and execution of contract between the Authority and the United States dated November 28, 1960; (f) the authorization and establishment of rates for water services to be furnished by the Authority to its constituent cities; (g) the authorization and execution of water supply contracts between the Authority and its constituent cities; repealing all laws or parts thereof in conflict; providing a savings clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Owen:

S. B. No. 63, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas for and on behalf of Texas Western College, El Paso, Texas, to acquire by purchase, exchange or otherwise tracts of land in El Paso County, Texas, contiguous and/or adjacent to the campus of Texas Western College when deemed necessary by the Board of Regents; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 64, A bill to be entitled "An Act authorizing cities of 500,000 or more population according to the last preceding or any future federal census, to create a Metropolitan Transit Authority, which shall have the power and authority to acquire, own, establish and operate transit facilities; providing a short title for the Act; defining certain terms; prescribing the manner of creation of such authority; defining the powers and duties of such authority and providing for the exercise of such powers; providing that such authority shall have no power of taxation but exempting its property from taxation; providing for a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senators Hazlewood, Herring and Willis:

S. B. No. 65, A bill to be entitled "An Act limiting the power of the Board of Insurance Commissioners to promulgate certain rating plans for certain private passenger automobiles; amending the Insurance Code, Subchapter A, Chapter Five, by adding thereto a new Article to be known as Article 5.01a; repealing all laws in conflict; and declaring an emergency."

To the Committee on Insurance.

By Senators Hazlewood, Owen, Patman and Rogers:

S. B. No. 66, A bill to be entitled "An Act amending Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (Vernon's Annotated Civil Statutes of Texas, Article 6675a-1 et seq.), by adding a new Article thereto, to be known and designated as Section 2a, providing for the registration of certain farm trailers used for the transportation of liquid fertilizer; where the gross weight is not more than ten thousand (10,000) pounds; defining gross weight; and declaring an emergency."

To the Committee on Transportation.

By Senators Hazlewood, Owen, Patman and Rogers:

S. B. No. 67, A bill to be entitled "An Act amending Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended, (codified as Article 6675a-2, Vernon's Texas Civil Stat-

utes), by extending the exemption from registration of farm trailers and farm semi-trailers to include trailers and semi-trailers owned by cotton gins and grain elevators and used solely for supplying, without charge, such trailers and semi-trailers to farmers to haul agricultural products from place of production to place of process, market or storage of such agricultural products; by increasing the gross weight of exempt farm trailers and farm semi-trailers to ten thousand (10,000) pounds; by defining the term 'gross weight'; providing a severability clause; providing a repealing clause; and declaring an emergency."

To the Committee on Transportation.

By Senator Dies:

S. J. R. No. 5, Proposing an Amendment to the Constitution of the State of Texas authorizing the issuance of State bonds for the purpose of financing a program for loans to individuals, partnerships and corporations to encourage the development of industries in this State, and providing for administration of the program.

To the Committee on Constitutional Amendments.

By Senator Parkhouse:

S. J. R. No. 6, Proposing an amendment to Article VII of the Constitution of Texas by adding a section to be known as Section 3-b, providing that school taxes theretofore voted in any Independent School District, the major portion of which is within Dallas County, shall not be abrogated, cancelled or invalidated by a change in boundaries nor shall bonds voted, but unissued, at the time of such change, be invalidated by such change; authorizing the levy of taxes after such change without further election in the district as changed; providing an exception in the case of the annexation or consolidation of whole districts; providing for an election and the issuance of a proclamation therefor.

To the Committee on Constitutional Amendments.

At Ease

The President Pro Tempore announced at 11:38 o'clock a.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President Pro Tempore called the Senate to order as In Legislative Session at 11:41 o'clock a.m.

Co-Authors of Senate Bills 66 and 67

Senators Owen, Rogers and Patman asked unanimous consent to be shown as co-authors of S. B. Nos. 66 and 67.

There was no objection offered.

Co-Author of Senate Bill 53

Senator Owen asked unanimous consent to be shown as co-author of S. B. No. 53.

There was no objection offered.

Co-Author of Senate Bill 11

Senator Willis asked unanimous consent to be shown as co-author of S. B. No. 11.

There was no objection offered.

Co-Author of Senate Bill 31

Senator Moore asked unanimous consent to be shown as co-author of S. B. No. 31.

There was no objection offered.

Senate Resolution 28

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Commissioner Albert Pena, Sgt. Bob Cruz, and Peter Panfield; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the guests to the Members of the Senate.

Adjournment

On motion of Senator Hardeman the Senate at 11:47 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Mrs. Lillie Cullen

Senator Baker offered the following resolution:

(Senate Resolution 25)

Whereas, The State of Texas and the City of Houston lost an esteemed and beloved citizen in the death of Mrs. Lillie Cullen on November 15, 1959; and

Whereas, She was the widow of the late Hugh Roy Cullen, who died in 1957, and was a partner with her husband in giving an estimated \$180,000,000 to hospitals, schools and other philanthropies; and

Whereas, Despite their immense wealth, the Cullens were noted for their simplicity, sincerity and humility; and

Whereas, Mrs. Cullen was born September 8, 1882, the daughter of Mr. and Mrs. Gustave Cranz of Schulenburg, and was educated at St. Mary's Hall in San Antonio; and

Whereas, She was married to Mr. Cullen on December 29, 1903, and was throughout the years a devoted wife and mother to their five children; and

Whereas, During the 54 years of their marriage, Mrs. Cullen shared in her husband's enterprises and interests; and

Whereas, Among the many recipients of their generosity have been the University of Houston, Memorial Hospital, Methodist Hospital, St. Joseph's Hospital, and St. Luke's Hospital, all in Houston; and

Whereas, Mrs. Cullen, along with her husband, was the holder of honorary degrees from both the University of Houston and Baylor University in recognition of their philanthropies; and

Whereas, The vast Cullen Foundation, established in 1947, continues to provide funds for education and health facilities for thousands of persons; and

Whereas, Mrs. Cullen is survived by four daughters—Mrs. Paul Portanova of New York, Mrs. Isaac Arnold, Mrs. Douglas B. Marshall, and Mrs. Corbin J. Robertson, all of Houston; 15 grandchildren; and 15 great-grandchildren; and

Whereas, It is the wish of the Senate to pay honor to the exemplary life and good works of this generous benefactress; now, therefore, be it

Resolved, That the Senate of the State of Texas adjourn this day in tribute to the inspiring life of Mrs. Lillie Cullen, that a page in the Senate Journal be set aside in her memory, and that a copy of this resolution be sent to her family as a further token of our regard and respect.

BAKER
KRUEGER

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

Calvin B. Garwood

Senator Baker offered the following resolution:

(Senate Resolution 26)

Whereas, On May 14, 1960, the City of Houston and the State of Texas lost a beloved citizen in the passing of Calvin B. Garwood, prominent attorney and a retired brigadier general in the Texas National Guard; and

Whereas, He was born on March 26, 1894, in Bastrop and moved to Houston at about the age of six; and

Whereas, He was from a pioneer Texas family, his grandfather having come to Texas about 1850 from Ohio and served as a justice of the peace in Bastrop County and his father having been a lawyer first in Bastrop and then in Harris County; and

Whereas, General Garwood was graduated from prep school and college at Georgetown University, receiving his bachelor's degree in 1915; and

Whereas, He entered the old Second Texas Infantry in May, 1916, as a private and in April, 1917, was commissioned a second lieutenant and became a member of the original 36th Division; and

Whereas, During World War I, he saw service in France and was awarded the Croix de Guerre for heroism in the Battle of the Argonne; and

Whereas, After the war, he was graduated from The University of Texas Law School and joined the firm of Baker, Botts, Parker and Garwood, now Baker, Botts, Andrews and Shepherd; and

Whereas, In 1931, Garwood joined the firm of Sewell, Taylor, Morris and Garwood and remained a member until 1940, when his Texas National Guard unit was re-activated; and

Whereas, Shortly after his recall to active duty, Garwood transferred to the School of Military Government at the University of Virginia; and

Whereas, He went overseas in October, 1942, and spent about one and a half years in North Africa, where he served as the town mayor in the military government of Algiers; and

Whereas, When he returned to the United States in 1944, he was in command of the School of Military Government at Yale University before being mustered out of the service in 1945 and retired from active duty; and

Whereas, While serving in World War II, Brigadier General Garwood received the Order of the British Empire; and

Whereas, On his return to Houston, he entered the private practice of law and his son, Calvin, Jr., joined him in 1953 in the firm of Garwood and Garwood; and

Whereas, He was a member of the Saint John the Divine Episcopal Church, the Houston Bar Association, the State Bar of Texas, the American Bar Association, and the Military Affairs Committee of the Houston Chamber of Commerce; and

Whereas, His survivors include his wife, Mrs. Daisy R. Garwood; his son, Calvin, Jr. of Houston; a daughter, Hettie Page Garwood of New York City; one granddaughter, Anne Garwood of Houston; one brother, W. St. John Garwood of Austin; and one sister, Miss Louise F. Garwood of Baltimore, Maryland; and

Whereas, The Senate of the State of Texas, Fifty-seventh Legislature, Regular Session, wishes to recognize and pay tribute to the distinguished military and legal careers of Calvin B. Garwood; now therefore, be it

Resolved, That a page in the Senate Journal be set aside in his memory, that a copy of this resolution be sent to his family as a token of our respect and regard, and that when the Senate adjourns today, it do so in memory of the inspiring life of Calvin B. Garwood.

BAKER

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.